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Promotion and protection of human rights: implementation of human rights instruments

Letter dated 8 June 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement delivered by Gennady Kuzmin, Deputy Permanent Representative of the Russian Federation to the United Nations, at the twentieth Meeting of States Parties to the Convention on the Elimination of All Forms of Discrimination against Women under the agenda item "Other matters" (see annex).

I should be grateful if you would arrange for the present letter and its annex to be circulated as a document of the General Assembly under agenda item 72 (a).

(*Signed*) V. **Nebenzia**

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Annex to the letter dated 8 June 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement delivered by the Deputy Permanent Representative of the Russian Federation to the United Nations, Gennady Kuzmin, at the twentieth Meeting of States Parties to the Convention on the Elimination of All Forms of Discrimination against Women under agenda item 6, "Other matters"

7 June 2018

Mr. Chair,

Allow me to continue the dialogue that was begun two years ago with the Committee on the Elimination of Discrimination against Women.

We would like to express our appreciation to the Committee for the written response provided to questions that we raised during the previous meeting in 2016, and for the Committee's willingness to engage with States to discuss the modalities of its work.

As the next step in that regard, the Committee might wish to inform the participants in the Meeting about the progress made in correcting the systemic problems in its functioning that we have pointed out previously. We refer, in particular, to the introduction of a clear schedule and time limits for the dialogue with States. Unfortunately, the treaty bodies have not yet fully implemented paragraph 16 of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, which calls for limits on the number of questions asked of States parties. The amount of information requested by the experts and of information provided by non-governmental organizations remains almost unlimited, whereas draconian control has been established to ensure that States comply with the limits on the amount of information that they provide. In practice, the absence of limits on the length of statements made by Committee members results in States being deprived of the time that they need to respond.

Mr. Chair,

We are concerned about the Committee's practice of preparing general comments that are designed to consolidate an expansive interpretation of international norms. The same applies to the promotion of controversial concepts that have little to do with the substance of the treaties. We believe that the general comments are solely the opinion of experts and do not impose any additional obligations on States. We believe that this practice hinders a constructive dialogue between States parties and the treaty body, and that it is contrary to paragraph 9 of General Assembly resolution 68/268, according to which the work of the treaty bodies "should fall under the provisions of their respective treaties, thus not creating new obligations for States parties".

Attempts to incorporate into the concluding observations passages that were not discussed during consideration of the report are unacceptable.

The reluctance of the Committee to follow its own decision taken in 2015 to reduce the length of concluding observations to 6,000 words is puzzling. It should be recalled that as early as 2012, the High Commissioner for Human Rights recommended that the treaty bodies limit the length of such documents to 3,300 words (note by the Secretariat (HRI/MC/2018/3) for the thirtieth meeting of Chairs of the human rights treaty bodies).

Mr. Chair,

Multilingualism remains a major flaw in the work of the Committee. According to resolution 68/268, States parties should be able to interact with the treaty bodies, without prejudice, in any of the six official languages of the United Nations. We assume that, in addition to the three official working languages of the Committee, a fourth language will be used at the request of the State, as provided for in General Assembly resolution 68/268. This right applies not only to communication with the treaty bodies during meetings for the consideration of periodic reports, but also to any correspondence with them.

We would also like to take this opportunity to express our disapproval of the so-called procedure developed by the Committee for follow-up measures and assessment of States' implementation of the Committee's recommendations. The Convention on the Elimination of All Forms of Discrimination against Women does not provide for such a mechanism. As a result, the Committee's already limited resources have been spent inefficiently.

There are also many questions about the objectivity and relevance of the method for determining the degree of implementation of concluding observations by States. However, this goes beyond the scope of the obligations of States parties to the Convention.

Mr. Chair,

The main task of the treaty bodies is not to deliver judgments, but to assist States through an open, equitable and mutually respectful dialogue to comply with their commitments to implement the provisions of the international treaty in question.

We hope that the treaty bodies will rectify their policy and will comply strictly with the requirements set forth in the treaties.

Thank you.